

NO. 72003

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF
NEVADA HERETOFORE APPROPRIATED

NEW PRIORITY DATE:

Date of filing in State Engineer's Office DEC 10 2004 SEPT 17 2007

Returned to applicant for correction _____

Corrected application filed _____

Map filed DEC 29 2004

The applicant **Western States Geothermal Company**, hereby make application for permission to change the **Point of Diversion** of water heretofore appropriated under **permit 30886** **Application for Permit to Appropriate the Public Waters of the State of Nevada**

1. The source of water is **underground**
2. The amount of water to be changed **10.0 cfs**
3. The water to be used for **Industrial and Domestic Use**
4. The water heretofore permitted for **Industrial and Domestic Use**
5. The water is to be diverted at the following point **SE¼ SE¼ Section 21 T22N R27E On a bearing of SW 26 degrees 20' 20", 1695.43 ft from the east quarter corner of Section 21, T22N R27E, MDB&M.**
6. The existing permitted point of diversion is located within **NE¼ NE¼ Section 21 T22N R27E On a bearing of SW 39 degrees 38' 00", 591.9 ft from the northeast corner of Section 21 T22N R27E MDB&M**
7. Proposed place of use (**Well 77-21, Desert Peak Geothermal Power Plant,**) **Section 21, T22N R27E MDB&M, Churchill County, Nevada**
8. Existing place of use **Section 21, T22N R27E MDB&M unchanged**
9. Use will be from **1/1 to 12/31** of each year.
10. Use was permitted from **1/1 to 12/31** of each year.
11. Description of proposed works **used to generate electricity geothermal well piped to geothermal power plant**
12. Estimated cost of works **\$1.5 million**
13. Estimated time required to construct works **completed, 12.25" hole cased to 1449 ft. open hole to 3639 td. well diagram attached.**
14. Estimated time required to complete the application of water to beneficial use **immediately**
15. Remarks: **Steam and water will be diverted from the well and the thermal energy extracted and sold to Sierra Pacific Power Company. The Power Plant will be a binary plant with approximately 10% consumptive use in the cooling tower.**

By **Christy L. Morris**
s/ **Christy L Morris**
980 Greg Street
Sparks, NV 89431

Compared aem/sam dl/ gkl

Protested _____

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This geothermal permit to change the point of diversion of the waters of an underground geothermal source as heretofore granted under Permit 30886 is issued subject to the terms and conditions imposed in said Permit 30886. This geothermal permit is issued subject to existing rights. It is understood that the amount of geothermal fluid herein granted is only a temporary allowance and that the final right obtained under this permit will depend upon the amount actually placed to beneficial use. It is also understood that this right must allow for a reasonable decrease in reservoir pressure and heat. The well shall be constructed and maintained to prevent any waste of the geothermal fluid above or below the surface. The producing well discharge shall be closely monitored and recorded. The amounts of fluid injected back to the reservoir shall also be monitored and recorded to determine the total annual diversion and consumption for beneficial use.

The annulus of any well drilled under this geothermal permit is to be cemented from the top of the producing or injection interval to surface to prevent waste and to prevent any communication with fresh ground water. Only geothermal waters are to be diverted under this geothermal permit and the cooled geothermal fluids are to be returned to the source via the injection well.

This geothermal permit does not relieve the operator of the requirements of any other state, local or federal agency. This permit does not extend the permittee the right of ingress or egress on public or private lands.

An annual report that documents the amounts of fluids produced, injected and/or consumed shall be filed under this permit not later than on January 31 of the year following the reporting year. Any exploration and subsurface information obtained as a result of this project shall be kept confidential pursuant to Chapter 534A.031 of the Nevada Revised Statutes (NRS).

The total withdrawal of geothermal fluid under this permit shall be limited to 7240 acre-feet per year. This appropriation permit allows for a total consumptive use of the geothermal fluid that shall not exceed 10% of the amount produced annually.

The total withdrawal of geothermal fluid under Permit 45397, Certificate 12784, Permit 46070, Certificate 12790 and Permits 31002, 70678, 70698 and 72003 shall not exceed 23,512 acre-feet per year and the total consumptive use of the geothermal water shall not exceed 10,570 acre-feet per year. The State Engineer reserves the right to make further findings regarding the consumptive use of the geothermal water under this permit and impose additional conditional thereto.

(CONTINUED ON PAGE 3)

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 10.0 cubic feet per second.

Work must be prosecuted with reasonable diligence and be completed on or before:

May 12, 2007

Proof of completion of work shall be filed on or before:

June 12, 2007

Water must be placed to beneficial use on or before:

May 12, 2010

Proof of the application of water to beneficial use shall be filed on or before:

June 12, 2010

Map in support of proof of beneficial use shall be filed on or before:

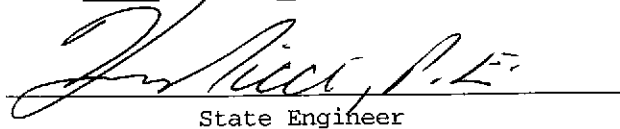
N/A

IN TESTIMONY WHEREOF, I, HUGH RICCI, P.E.,

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this 12th day of May, A.D. 2006


State Engineer


Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed _____ N/A _____

Certificate No. _____ Issued _____

~~CANCELLED AUG 13 2007 BECAUSE OF
FAILURE OF APPLICANT TO COMPLY WITH THE
PROVISIONS OF PERMIT~~

~~ STATE ENGINEER
Can. Rescinded 4-11-2008~~